

**Commonwealth of Kentucky  
Energy and Environment Cabinet  
Department for Environmental Protection  
Division for Air Quality  
200 Fair Oaks Lane, 1<sup>st</sup> Floor  
Frankfort, Kentucky 40601  
(502) 564-3999**

**AIR QUALITY PERMIT  
Issued under 401 KAR 52:040**

**Permittee Name:** Newpoint Midstream, LP  
**Mailing Address:** PO Box 10358, College Station, TX 77845

**Source Name:** J D Carty Amine Plant  
**Mailing Address:** 100 Hwy 1090  
Salyersville, KY 41465

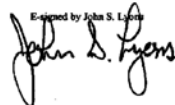
**Source Location:** Same as above

**Permit ID:** S-09-008  
**Agency Interest #:** 100448  
**Activity ID:** APE20080001  
**Review Type:** Minor Source, Construction / Operating  
**Source ID:** 21-153-00027

**Regional Office:** Hazard Regional Office  
233 Birch Street, Suite 2  
Hazard, KY 41701  
(606) 435-6022

**County:** Magoffin

**Application**  
**Complete Date:** January 13, 2009  
**Issuance Date:** February 20, 2009  
**Revision Date:** N/A  
**Expiration Date:** February 20, 2019

E-signed by John S. Lyons  


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**John S. Lyons, Director  
Division for Air Quality**

## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:040, State-origin permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining other permits, licenses, or approvals that may be required by the Cabinet or other federal, state, or local agencies.

## SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emission Unit 01 (EU-1) Sweetening Unit

Emission Unit 02 (EU-2) Triethylene Glycol (TEG) Dehydration Unit

EMISSION UNIT	DESCRIPTION	MAXIMUM OPERATING RATE
EU-1	<b>Sweetening Unit (Dickson &amp; Tryer Engineering Designed and Built)</b> 13 GPM Amine Plant Installation Date: May 2008 Control Device: Flare	57.6 mmscf/hr
EU-2	<b>TEG Dehydrator Unit (NATCO Designed and Built)</b> Installation Date: December 2008 Control Device: Flare	0.0002 mmscf/hr

EMISSION UNITS	STACK	CONTROL DEVICE	CONTROL EFFICIENCY
EU-1 & EU-2	EP3	Flare: Flare King 4-inch Utility Port w/ Pilot Assembly Installation Date: May 2008 Rate Capacity: 0.0017 mmscf/hr Heat Content: 200 Btu/scf Primary Fuel: Natural Gas	98% (H <sub>2</sub> S and CO <sub>2</sub> Removal) 99% (VOC and BTEX* Removal)

\*Note: BTEX (Benzene, toluene, ethylbenzene, and xylene emissions)

### APPLICABLE REGULATIONS:

**40 CFR 60 Subpart LLL**, *Standards of Performance for Onshore Natural Gas Processing: SO<sub>2</sub> Emissions*. Pursuant to 40 CFR 60.640 (a) and (b) sweetening units that are affected facilities and that have a design capacity less than 2 long tons per day (LT/D) of hydrogen sulfide (H<sub>2</sub>S) in the acid gas (expressed as sulfur) are required to comply with 40 CFR 60.647 (c) but are not required to comply with 40 CFR 60.642 thru 60.646. This regulation is applicable to EU-1.

**401 KAR 59:105**, *New process gas streams*.

**40 CFR 63 Subpart HH**, *NESHAPS from Oil and Natural Gas Production Facilities*. Pursuant to 40 CFR 63.760 (b)(2), Subpart HH applies to area sources that include a triethylene glycol (TEG) dehydration unit. J D Carty Amine Plant has a TEG dehydration unit (EU-2) that is exempted from the requirements of paragraph (c)(1) and (d) of 40 CFR 63.764 pursuant to 40 CFR 63.764 (e)(1)(i) and (ii) due to the fact that the actual annual average flowrate of natural gas to the glycol dehydration unit is less than 85 thousand standard cubic meters per day and the actual average emissions of benzene from the glycol dehydration unit process vent to the atmosphere are less than 0.90 megagram per year (Mg/yr (1.0 tpy)).

**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****NON-APPLICABLE REGULATION:**

**40 CFR 60 Subpart KKK**, *Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants*. This regulation does not apply to EU-1 and EU-2 because the source is not engaged in the extraction of natural gas liquids from field gas or in the fractionation of mixed natural gas liquids to natural gas products.

**1. Operating Limitations:**

The permittee shall operate the TEG Dehydration Unit so as to be in compliance with the emission limitations specified below at all times.

**2. Emission Limitations:**

- a. The actual average benzene emissions from the glycol dehydration unit process vent shall be less than 0.90 Mg/yr (1.0 tpy) in order to meet the exemption criteria specified in 40 CFR 63.764 (e)(2)(ii).
- b. Pursuant to Section 3 of 401 KAR 59:105, no person shall cause, suffer, allow or permit the emission of hydrogen sulfide in a process gas stream to exceed ten (10) grains per 100 dscf (165 ppm by volume) at zero percent oxygen except that sources whose combined process gas stream emission rate totals less than two (2) tons per day of hydrogen sulfide shall either reduce such emissions by eighty-five (85) percent or control such emissions such that hydrogen sulfide in the gas stream emitted into the ambient air does not exceed ten (10) grains per 100 dscf (165 ppm by volume) at zero percent oxygen.

**Compliance Demonstration Method:**

- a. The permittee shall determine actual average benzene emissions using the model GRI-GLYCalc<sup>TM</sup>, Version 3.0 or higher, and the procedures presented in the associated GRI-GLYCalc<sup>TM</sup> Technical Reference Manual. Inputs to the model shall be representative of actual operating conditions of the glycol dehydration unit and may be determined using the procedures documented in the Gas Research Institute (GRI) report entitled "Atmospheric Rich/Lean Method for Determining Glycol Dehydrator Emissions" (GRI-95/0368.1). [40 CFR 63.772 (b)(2)(i)]
- b. The controlled benzene emission rate shall be determined by applying the flare VOC destruction efficiency to the emission rate determined by the GRI-GLYCalc<sup>TM</sup> model.
- c. Refer to **Section B, Group Requirements** for the efficiency of the flare to meet compliance with hydrogen sulfide emission limits.

**3. Testing Requirements:**

Testing shall be conducted at such times as may be required by the Cabinet in accordance with 401 KAR 50:045, Section 4. Refer to **Section B, Group Requirements**.

**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****4. Monitoring Requirements:**

Refer to **Section B, Group Requirements** for monitoring requirements of the flare.

**5. Recordkeeping Requirements:**

- a. Pursuant to 40 CFR 60.647 (c) in order to certify that EU-1 is exempt from the control requirements of Subpart LLL, the owner or operator of the facility with a design capacity less than 2 long tons per day (LT/D) of H<sub>2</sub>S in the acid gas (expressed as sulfur) shall keep, for the life of the facility, an analysis demonstrating that the facility's design capacity is less than 2 LT/D of H<sub>2</sub>S (expressed as sulfur).
- b. The permittee shall comply with the recordkeeping provisions of 40 CFR 63, Subpart A that apply to sources subject to 40 CFR 63 Subpart HH. The recordkeeping provisions of 40 CFR 63 Subpart A that apply and those that do not apply are listed in Table 2 of 40 CFR 63 Subpart HH.
- c. The owner or operator of a glycol dehydration unit (EU-2) that meets the exemption criteria in 40 CFR 63.764 (e)(1)(i) or (ii) shall maintain the records of the actual annual average natural gas throughput (in terms of natural gas flowrate to the glycol dehydration unit per day) as determined in accordance with 40 CFR 63.772 (b)(1), or the actual average benzene emissions (in terms of benzene emissions per year) as determined in accordance with 40 CFR 63.772 (b)(2) [40 CFR 63.774 (d)(1)(i) and (ii)].
- d. Pursuant to 40 CFR 63.774 (e) the permittee shall record the following when using a flare to comply with control device requirements of 40 CFR 63.771(d):
  - (1) Flare design (i.e., steam-assisted, air-assisted, or non-assisted);
  - (2) All visible emission readings, heat content determinations, flowrate measurements, and exit velocity determinations made during the compliance determination required by **Section B, Group Requirements**; and
  - (3) All hourly records and other recorded periods when the pilot flame is absent.

**6. Reporting Requirements:**

- a. Area sources located outside UA plus offset and UC boundaries are not required to submit notifications of compliance status under 40 CFR 63.9 (h)(1) through (3). [Table 2 of 40 CFR 63 Subpart HH].
- b. The owner or operator of a TEG dehydration unit located at an area source that meets the criteria in 40 CFR 63.764 (e)(1)(i) or 63.764 (e)(1)(ii) is exempt from the reporting requirements for area sources in paragraphs (c)(1) through (7) of 40 CFR 63.775 for that unit.
- c. Refer to **Section C.6.b.** for Compliance Certification Requirements.

## **SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **GROUP REQUIREMENTS**

**EU-1 Sweetening Unit**

**EU-2 TEG Dehydrator Unit**

Control Device: Flare

#### **Description:**

Flare King 4-inch Utility Port w/ Pilot Assembly

Date of Installation: May 2008

Rated Capacity: 0.0017 mmscf/hr

Heat Content: 200 Btu/scf

Primary Fuel: Natural gas

Control Efficiency: 98% H<sub>2</sub>S Removal

### **APPLICABLE REGULATION:**

**401 KAR 63:015, *Flares*.** This regulation is applicable pursuant to Section 2 (2). The definition of a flare is a device at the tip of a stack or other opening used for the disposal of waste gas streams by combustion. A flare (EP3) at J D Carty Amine Plant will be utilized to dispose of the waste gas (combination of hydrogen sulfide and carbon dioxide).

#### **1. Operating Limitations:**

The efficiency of the flare shall be designed to meet compliance with 40 CFR 60.18, paragraphs (c)(3) thru (e).

#### **Compliance Demonstration Method:**

For compliance with the flare efficiency requirement, refer to Subsection 3. **Testing Requirements.**

#### **2. Emission Limitations:**

Pursuant to 401 KAR 63:015, Section 3, no person shall cause, suffer, or allow the emission into the open air of particulate matter from any flare which is greater than twenty (20) percent opacity for more than three (3) minutes in any one (1) day, except as follows:

- a. Pursuant to 401 KAR 50:055, Section 1(1), emissions which, due to shutdown or malfunctions, temporarily exceed the standard set forth by the cabinet shall be deemed in violation of such standards unless the requirements of 401 KAR 50:055, Section 1(2) and 1 (3) are satisfied and the determinations specified in 401 KAR 50:055, Section 1 (4) are made by the Director.
- b. Pursuant to 401 KAR 50:055, Section 2 (4), the opacity standards set forth in this administrative regulation shall apply at all times except during periods of start-up, shutdown, and as otherwise provided in the applicable standard.

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **Compliance Demonstration Method:**

Compliance with 401 KAR 63:015 can be demonstrated by compliance with 40 CFR 60.18.

### **3. Testing Requirements:**

If visible emissions are observed or it is requested by the Division, the permittee shall perform a Method 22 reading for the flare.

### **4. Monitoring Requirements:**

- a. Pursuant to 40 CFR 60.18 (f)(2) and the presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device.
- b. Whenever waste gas is sent to the flare for combustion, the permittee shall monitor the flare for visible emissions and maintain the records described in Subsection 5. **Recordkeeping Requirements.**

### **5. Recordkeeping Requirements:**

In order to demonstrate compliance with 401 KAR 63:015, the permittee must meet the following requirements:

- a. Whenever emissions are vented to the flare for combustion, the permittee shall maintain daily records of whether any air emissions were visible from the flare. If no visible emissions are observed, then no further observations or records are required. If visible emissions are observed or it is requested by the Division, the permittee shall perform a Method 22 reading for the flare. The readings shall be recorded in a daily log.
- b. The permittee shall maintain records of all routine and non-routine maintenance activities performed at the flare.

### **6. Reporting Requirements: N/A**

## SECTION C - GENERAL CONDITIONS

### 1. Administrative Requirements

- a. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:040, Section 3(1)(b) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.
- b. This permit shall remain in effect for a fixed term of ten (10) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division. [401 KAR 52:040, Section 15]
- c. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-11 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- d. Pursuant to materials incorporated by reference by 401 KAR 52:040, this permit may be revised, revoked, reopened, reissued, or terminated for cause. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance shall not stay any permit condition [Section 1a-4, 5, of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- e. This permit does not convey property rights or exclusive privileges [Section 1a-8 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- f. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:040 Section 11(3)].
- g. This permit shall be subject to suspension at any time the permittee fails to pay all fees within 90 days after notification as specified in 401 KAR 50:038, Air emissions fee. The permittee shall submit an annual emissions certification pursuant to 401 KAR 52:040, Section 20.



**SECTION C - GENERAL CONDITIONS (CONTINUED)****2. Recordkeeping Requirements**

- a. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of at least five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:040 Section 3(1)(f) and Section 1b-IV-2 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- b. The permittee shall perform compliance certification and recordkeeping sufficient to assure compliance with the terms and conditions of the permit. Documents, including reports, shall be certified by a responsible official pursuant to 401 KAR 52:040, Section 21.

**3. Reporting Requirements**

- a. (1) In accordance with the provisions of 401 KAR 50:055, Section 1, the permittee shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - i. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - ii. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
- (2) The permittee shall promptly report deviations from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Reporting Requirement condition a.(1) above), the probable cause of the deviation, and corrective or preventive measures taken; to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report [Section 1b-V-3 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- b. The permittee shall furnish information requested by the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the permit [Section 1a-6 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- c. Summary reports of monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation. The summary reports

**SECTION C - GENERAL CONDITIONS (CONTINUED)**

are due January 30th and July 30th of each year. All deviations from permit requirements shall be clearly identified in the reports. All reports shall be certified by a responsible official pursuant to 401 KAR 52:040, Section 21.

**4. Inspections**

In accordance with the requirements of 401 KAR 52:040, Section 3(1)(f) the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency:

- a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation.
- b. To access and copy any records required by the permit.
- c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit.
- d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

**5. Emergencies/Enforcement Provisions**

- a. The permittee shall not use as defense in an enforcement action, the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].
- b. An emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
  - (1) An emergency occurred and the permittee can identify the cause of the emergency;
  - (2) The permitted facility was at the time being properly operated;
  - (3) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
  - (4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two working days after the time when emission limitations were exceeded due to the emergency and included a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
- c. Emergency provisions listed in General Condition 5.b are in addition to any emergency or upset provision contained in an applicable requirement [401 KAR 52:040, Section 22(1)].
- d. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 52:040, Section 22(2)].

**SECTION C - GENERAL CONDITIONS (CONTINUED)****6. Compliance**

- a. Periodic testing or instrumental or non-instrumental monitoring, which may consist of record keeping, shall be performed to the extent necessary to yield reliable data for purposes of demonstration of continuing compliance with the conditions of this permit. For the purpose of demonstration of continuing compliance, the following guidelines shall be followed:
  - (1) Pursuant to 401 KAR 50:055, General compliance requirements, Section 2(5), all air pollution control equipment and all pollution control measures proposed by the application in response to which this permit is issued shall be in place, properly maintained, and in operation at any time an affected facility for which the equipment and measures are designed is operated, except as provided by 401 KAR 50:055, Section 1.
  - (2) All the air pollution control systems shall be maintained regularly in accordance with good engineering practices and the recommendations of the respective manufacturers. A log shall be kept of all routine and nonroutine maintenance performed on each control device. Daily observations are required during daylight hours of all operations, control equipment and any visible emissions to determine whether conditions appear to be either normal or abnormal. If the operations, controls and/or emissions appear to be abnormal, the permittee must then comply with the requirements of Section C – General Conditions, 3.a.(2), of this permit.
  - (3) A log of the monthly raw material consumption and monthly production rates shall be kept available at the facility. Compliance with the emission limits may be demonstrated by computer program, spread sheets, calculations or performance tests as may be specified by the Division [401 KAR 50:055, Section 2].
- b. Pursuant to 401 KAR 52:040, Section 19, the permittee shall certify compliance with the terms and conditions contained in this permit by January 30th of each year, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Regional Office listed on the front of this permit in accordance with the following requirements:
  - (1) Identification of the term or condition;
  - (2) Compliance status of each term or condition of the permit;
  - (3) Whether compliance was continuous or intermittent;
  - (4) The method used for determining the compliance status for the source, currently and over the reporting period, and
  - (5) For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

**SECTION C - GENERAL CONDITIONS (CONTINUED)**

(6) The certification shall be postmarked by January 30th of each year. Annual compliance certifications shall be mailed to the following addresses:

Division for Air Quality  
Hazard Regional Office  
233 Birch Street, Suite 2  
Hazard, KY 41701-2179

Division for Air Quality  
Central Files  
200 Fair Oaks Lane, 1<sup>st</sup> Floor  
Frankfort, KY 40601

- c. Permit Shield - A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with all:
- (1) Applicable requirements that are included and specifically identified in this permit; or
  - (2) Non-applicable requirements expressly identified in this permit [401 KAR 52:040, Section 11].

**7. Construction Requirements:**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein, emission points EP3 (Flare) in accordance with the terms and conditions of this permit.

- a. Pursuant to 401 KAR 52:040, Section 12(3), unless construction is commenced on or before 18 months after the date of issuance of this permit, or if construction is commenced and then stopped for any consecutive period of 18 months or more, or is not completed within a reasonable timeframe, then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon a written request, the Cabinet may extend these time periods if the source shows good cause.
- b. Pursuant to 401 KAR 52:040, Section 12(4)(a) and 401 KAR 59:005, General provisions, Section 3(1), within 30 days following construction commencement, within 15 days following start-up and attainment of maximum production rate, or within 15 days following the issuance date of this permit, whichever is later, the owner and/or operator of the affected facilities specified on this permit shall furnish to the Regional Office listed on the front of this permit, with a copy to the Division's Frankfort Central Office, the following:
  - (1) Date when construction commenced.
  - (2) Start-up date of each of the affected facilities listed on this permit.
  - (3) Date when maximum production rate was achieved.
- c. (1) Pursuant to 401 KAR 59:005, General provisions, Section 2(1), this permit shall allow time for the initial start-up, operation and (*performance testing and/or compliance demonstration*) of the affected facilities listed herein. However, within 60 days after achieving the maximum production rate at which the affected facilities will be operated, but not later than 180 days after initial start-up of such facilities, the owner or operator shall (*conduct performance tests on the **EP3 (Flare)** and furnish the Division's Frankfort office a written report of the results of such performance tests*) or (*demonstrate compliance to a duly authorized representative of the Division*).

**SECTION C - GENERAL CONDITIONS (CONTINUED)**

- (2) Pursuant to 401 KAR 59:005, General provisions, Section 3(1)(b), unless notification and justification to the contrary are received by this Division, the date of achieving the maximum production rate at which the affected facilities will be operated shall be deemed to be 30 days after initial start-up.
  - (3) Pursuant to 401 KAR 50:045, Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.
  - (4) Pursuant to 401 KAR 50:045 Section 5 in order to demonstrate that a source is capable of complying with a standard at all times, a performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive this requirement on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.
- d. Operation of the affected facilities authorized by this permit shall not commence until compliance with applicable standards specified herein has been demonstrated in accordance with the requirements of 401 KAR 52:040, Section 12(4)(b). Until compliance is demonstrated, the source may only operate for the purpose of demonstrating compliance.

**SECTION D - INSIGNIFICANT ACTIVITIES**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:040, Section 6. Although these activities are designated as insignificant the permittee must comply with the applicable regulation. Process and emission control equipment at each insignificant activity subject to an opacity standard shall be inspected monthly and a qualitative visible emissions evaluation made. Results of the inspection, evaluation, and any corrective action shall be recorded in a log.

<b><u>Description</u></b>	<b><u>Generally Applicable Regulations</u></b>
<b>Amine Reboiler</b> Capacity: 0.167 mmscf/hr Fuel: Natural Gas	None
<b>TEG Dehydrator Reboiler</b> Capacity: 0.165 mmscf/hr Fuel: Natural Gas	None